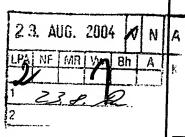
TENT COOPERATION TREA

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From the INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY **PCT**

SEP 0 1 2004

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Mintz Levin - NY(

WRITTEN OPINION

(PCT Rule 66)

		Date of mailing (day month year)	09/08/2004
Applicant's or agent's file reference 09743PC		REPLY DUE within 2 / 00 months/days from the above date of mailing	
International application No.	International filing date		Priority date (day/month/year)
PCT/CH03/00836	19/12/2003		20/12/2002
International Patent Classification (IPC) or both national classification and IPC			
	C12Q1/00		
Applicant UNIVERSITY OF GENEVA e	t al.		0910
1. This written opinion is the first drawn u	p by this International P	reliminary Examining	Authority.
2. This opinion contains indications relating			
I X Basis of the opinion			
II Priority			
III X Non-establishment of opinion with regard to novelty, inventive step and industrial applicability			
		-	- Processing
IV Lack of unity of invention			
V X Reasoned statement under Recitations and explanations su	Rule 66.2(a)(ii) with regar	d to novelty, inventive	step or industrial applicabilit Done By
_	5		☐ File Folder
VI Certain documents cited			Data Entry Docket Entry
VII Certain defects in the international application			Docket Cross Off
VIII Certain observations on the international application			Previously Entered 119
3. The applicant is hereby invited to reply to this opinion.			☐ No Docketing Req
to grant an extension, see Rule 66 2(d)			
How? By submitting a written reply, a For the form and the language	accompanied, where approof the amendments, see	opriate, by amendment Rules 66.8 and 66.9	s, according to Rule 66.3.
Also For an additional opportunity to submit amendments, see Rule 66.4. For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6.			
If no reply is filed, the international prelin		rt will be established or	the basis of this opinion.
 The final date by which the international p examination report must be established accepted. 	oreliminary cording to Rule 69.2 is:	20/04/2	413
ame and mailing address of the IPEA/	A	authorized officer	.01
European Patent Office, P.B. 5818	Patentlaan 2	xaminer	
NL-2280 HV Rijswijk - Netherlands Tel.: (+31-70) 340-2040 Fax: (+31-70) 340-3016		ormalities officer ncl. extension of time li	ó d

(incl. extension of time limits) Tel. (+49-89) 2399 2828

Office europeed.

I. Basis of the opinion

The basis of this written opinion is the application as originally filed.

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The question of whether the claimed invention appears to be novel, to involve an inventive step, or to be industrially applicable has not been and will not be the subject of the international preliminary examination in respect of the claims which have not been searched (Article 17(2)(a) or (3) and Rule 66.1(e) PCT; see also international search report).

- V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability
- 1. To the extent that the international preliminary examination has been carried out (see item III above), the following is pointed out:
- 2. In light of the documents cited in the international search report, it is considered that the invention as defined in at least some of the claims, which have been the subject of an international search report, does not appear to meet the criteria mentioned in Article 33(1) PCT, i.e. does not appear to be novel and/or to involve an inventive step (see international search report, in particular the documents cited X and/or Y and corresponding claim references).
- 3. If amendments are filed, the applicant should comply with the requirements of Rule 66.8 PCT and indicate the basis of the amendments in the documents of the application as originally filed (Article 34 (2) (b) PCT) otherwise these amendments may not be taken into consideration for the establishment of the international preliminary examination report. The attention of the applicant is drawn to the fact that if the application contains an unnecessary plurality of independent claims, no examination of any of the claims will be carried out.
- NB: Should the applicant decide to request detailed substantive examination, then an international preliminary examination report will normally be established directly. Exceptionally the examiner may draw up a second written opinion, should this be explicitly requested.